

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EDWIN Q. BATISTA,)	
)	
Plaintiff,)	Civil Action No. 12-297
)	
v.)	District Judge Hornak
)	Chief Magistrate Judge Lenihan
PATRICK D. MILLER,)	
ALLEGHENY COUNTY,)	
)	
Defendants.)	ECF No. 25, 34

MEMORANDUM ORDER

Plaintiff filed his Complaint with the clerk of courts for the Middle District of Pennsylvania on February 16, 2012. The case was transferred to the Western District of Pennsylvania on March 9, 2012, and referred to Chief United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court.

The Magistrate Judge's Report and Recommendation (ECF No. 34) filed on October 21, 2013, recommended that the Motion for Summary Judgment filed by Defendants Allegheny County and Patrick D. Miller (ECF No. 25) be granted. Service was made on all counsel of record and on the pro se Plaintiff. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Local Rule of Court 72.D.2, the parties had fourteen (14) days from the date of service to file objections to the Report and Recommendation. Plaintiff filed Objections (ECF No. 35) on November 1, 2013.

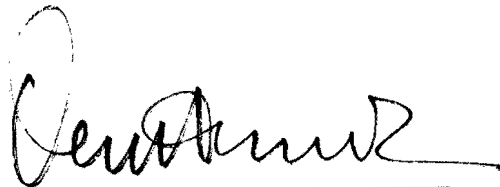
After review of the pleadings, documents in the case and the Objections, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 21ST day of November, 2013, it is hereby **ORDERED** that the Motion for Summary Judgment (ECF No. 25) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 34) of Chief Magistrate Judge Lenihan, dated October 21, 2013, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the clerk shall mark the case **CLOSED**.

BY THE COURT

A handwritten signature in black ink, appearing to read 'Mark R. Hornak', written over a horizontal line.

MARK R. HORNAK
United States District Judge

cc: All counsel of record
Via Electronic Mail

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